

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Continental Petroleum Corporation, Inc.,  
and Plastitex, S.A.

Plaintiffs,

v.

Civil Action No. 11-CV-7801

Corporation Funding Partners, LLC,  
Pablo Antoniazzi, Caren Raphael, Joseph  
Lau, and Green Pampas, Inc.,

Defendants.

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**GREEN PAMPAS, INC.'S NOTICE OF MOTION  
TO DISMISS OR STAY IN LIGHT OF ARBITRATION  
AGREEMENT, TO DISMISS AMENDED COMPLAINT FOR LACK OF  
PERSONAL JURISDICTION AND FOR FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that, based on the accompanying Memorandum of Law, the supporting Declaration of Jorge Mestre dated December 27, 2011, and the supporting Declaration of Marco Antoniazzi dated December 21, 2011, defendant Green Pampas, Inc. will move this Court, before the Honorable Paul A. Engelmayer, at the United States District Courthouse, 500 Pearl Street, Courtroom 18C, New York, New York, 10007, on a date and time to be later designated, for entry of an Order of Dismissal of the Amended Complaint against Green Pampas, Inc., pursuant to:

- 1) Federal Arbitration Act, 9 U.S.C. §3, because the issues raised in this action are subject to arbitration under a written agreement between Green Pampas, Inc. and Plastitex, S.A.;
- 2) Fed. R. Civ. P 12(b)(2), for lack of personal jurisdiction; and

3) Fed. R. Civ. P. 12(b)(6), for failure to state a claim on which relief may be granted;

and granting such other relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to SDNY Local Rule 6.1(b), Continental Petroleum Corporation, Inc. and Plastitex, S.A., shall serve and file any affidavits and opposing memorandum of law in reply on or before February 14, 2012.

Dated: January 30, 2012

Respectfully Submitted,

/s/ Jorge A. Mestre

Jorge A. Mestre

SDNY Bar No. JM4977

Andrés Rivero (admitted *Pro hac vice*)

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Attorneys for Green Pampas, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2012, this notice was served by CM/ECF upon the counsel of record in this action.

/s/ Jorge A. Mestre  
Jorge A. Mestre